

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PUGET SOUNDKEEPER ALLIANCE,

Plaintiff,

vs.

ALASKAN COPPER COMPANIES, INC., d.b.a.  
ALASKAN COPPER WORKS,

Defendant.

Case No.: 17-627 RSL

**STIPULATION AND ~~PROPOSED~~  
ORDER TO REVISE DEADLINE  
UNDER SECTIONS II(7)(f) AND  
II(7)(n) OF CONSENT DECREE**

**STIPULATION AND ~~PROPOSED~~ ORDER**

On May 30, 2018 this court entered a Consent Decree and Order ("Consent Decree") by and between Defendant Alaskan Copper Companies, Inc. d.b.a. Alaskan Copper Works ("ACW") and Plaintiff Puget Soundkeeper Alliance ("Soundkeeper"). Consistent with Consent Decree Section II(7), ACW has been diligently working to install stormwater treatment systems for drainage areas discharging to outfalls at ACW's facility in Seattle. Specifically, all capital purchases have been made, all equipment has been brought on to ACW's property, construction of the aboveground treatment system has been completed, and a majority of the electrical work is nearly complete. However, installing lift stations and underground piping is behind schedule

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OF CONSENT DECREE – 2:17-cv-00627-RSL**

1 because of a delay in obtaining a side sewer permit from the City of Seattle's ("City")  
2 Department of Construction and Inspections ("DCI"). During the initial permitting process,  
3 ACW notified the City's Development Services Office ("DSO") that the work required under the  
4 Consent Decree would necessarily take place within three easements owned by the City. For  
5 DSO to approve the work and allow DCI to issue a side sewer permit, a review period and a  
6 consent agreement for each easement was a necessary prerequisite. DSO gave a three to six  
7 month timeline to complete the review and approval process for the consent agreements. DSO  
8 and DCI indicated that trenching, and installing lift stations and the on-site conveyance system,  
9 could not proceed until the side sewer permit was issued.  
10

11 In order to expedite the process, DSO and ACW negotiated a compromise where ACW  
12 purchased two of the three easements from the City and DSO allowed DCI to issue the side  
13 sewer permit prior to DSO finalizing the consent agreement for the third easement. DCI issued  
14 the side sewer permit on September 11, 2018. During the access delay, ACW diligently worked  
15 to start construction on all other above ground components for the treatment system. ACW  
16 believes it will need until November 12, 2018 to complete installing the entire stormwater  
17 treatment system.  
18

19 Soundkeeper agrees to the Court revising the deadlines in Consent Decree Sections  
20 II(7)(f) and II(7)(n) from September 15, 2018 to November 12, 2018.

21 For these reasons, Soundkeeper and ACW, by and through their undersigned attorneys,  
22 stipulate to, and request the Court to enter, the following Order extending the deadline for the  
23 stormwater treatment system identified in Sections II(7)(f) and II(7)(n) of the Consent Decree.  
24

25 Based on ACW's and Soundkeeper's mutual stipulation, the Court hereby ORDERS that:  
26

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DATED this 26<sup>th</sup> day of September, 2018.

Unt S Lasnik  
Honorable Robert S. Lasnik

*Presented by:*

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